

PTO/SB/21 (01-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/719,556	
	Filing Date	November 21, 2003	
	First Named Inventor	Binggeli et al	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	6	Attorney Docket Number	21461

ENCLOSURES (Check all that apply)		
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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual	Eileen M. Ebel	
Signature		
Date	February 23, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date <u>February 23, 2004</u>			
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s) A. Binggeli, et al

Group:

Serial No. 10/719,556, filed November 21, 2003

Examiner:

For: INDOLYL DERIVATIVES

**INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110  
February 23, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

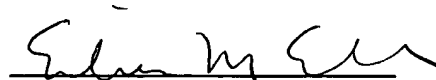
Documents A1-A9 listed on Form PTO-1449 are not enclosed because they are US Patents. Documents B1 – B20 and C1 – C25 are enclosed.

The Abstract for documents B9, WO 0008002, is provided as document C21.

Consideration of all the documents cited on Form PTO-1449 is requested.

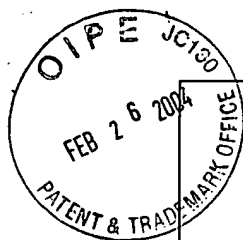
Since the Information Disclosure Statement is submitted before the mailing of the first Office Action on the merits or within three months of the filing date for the above application, no fee is due.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eileen M. Ebel', is written over a horizontal line.

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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)

## **Complete if Known**

Application Number	10/719,556
Filing Date	November 21, 2003
First Name Inventor	Binggeli
Group Art Unit	
Examiner Name	
Attorney Docket Number	21461 US

Sheet 1 of 3

## **U.S. PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A1	5,856,529		Bristol-Myers Squibb Company	01/05/1999
	A2	6,121,397		Xerox Corporation	09/19/2000
	A3	5,089,514		Bernard Hulin	02/18/1992
	A4	4,011,326		Jensen	03/08/1977
	A5	6,291,685		Junghans, et. al.	09/18/2001
	A6	6,441,185		Kühnle, et. al.	08/27/2002
	A7	5,599,826		Mertens, et. al.	02/04/1997
	A8	4,598,089		Hadvary, et. al.	07/01/1986
	A9	6,004,996		Shah, et. al.	12/21/1999

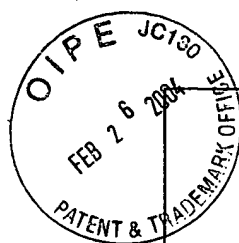
## **FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	B1		EP 1 078 923		F. Hoffmann-La Roche A.G.	02/28/2001	
	B2		EP 0903343		SSP Co., Ltd.	03/24/1999	
	B3		EP 185,359		F. Hoffmann-La Roche A.G.	06/25/1986	
	B4		EP 189,577		F. Hoffmann-La Roche A.G.	08/06/1986	
	B5		EP 443,449		F. Hoffmann-La Roche A.G.	08/28/1991	
	B6		EP 524,495		F. Hoffmann-La Roche & Co.	01/27/1993	
	B7		WO 99/10339		Pfizer Products Inc.	03/04/1999	
	B8		WO 02 16331		Eli Lilly & Company	02/28/2002	
	B9		WO 00 08002		Glaxo Group Limited	02/17/2000	X
	B10		WO 91/19702		Pfizer Inc.	12/26/1991	
	B11		WO 94/01420		Smithkline Beecham PLC.	01/20/1994	
	B12		WO 94/13650		Smithkline Beecham PLC.	06/23/1994	
	B13		WO 95/17394		Smithkline Beecham PLC	06/29/1995	
	B14		WO 97/25042		Smithkline Beecham PLC	07/17/1997	
	B15		WO 99/08501		Dr. Reddy's Research Foundation	02/25/1999	

	B16	WO 00/09122	F. Hoffmann-La Roche AG	02/24/2000	
	B17	WO 00/09123	F. Hoffmann-La Roche AG	02/24/2000	
	B18	WO 0100603	Glaxo Group Limited	01/04/2001	
	B19	WO 03/053976	Biovit-rum AB	07/03/2003	
	B20	WO 03/004458	Biovit-rum AB	01/16/2003	
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)				Application Number	10/719,556
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				First Name Inventor	Binggeli
				Group Art Unit	
				Examiner Name	
Sheet	3	Of	3	Attorney Docket Number	21461 US

#### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	C1	Keller and Wahli: Trends Endocrin. Metab. (1993); 4:291-296	
	C2	MacDougald and Lane: Current Biology Vol. 5 pp. 618-621 (1995)	
	C3	Guerre-Millo, et. al.; J Biol Chem 2000; 275: 16638-16642	
	C4	Balfour, et. al.; Drugs 57 (1999) 921-930	
	C5	Haigh et. al., Tetrahedron: Asymmetry, 10, pp. 1353-1367	
	C6	Gotteland et al., Synlett, 9 pp. 931-932 (1995)	
	C7	Hulin et al., J. Med. Chem., 39, pp. 3897-3907 (1996)	
	C8	Nicolaou et al., J. Am. Chem. Soc., 122, pp. 3830-3838 (2000)	
	C9	Nichols et al., Anal. Biochem., 257, pp. 112-119 (1998)	
	C10	Einsiedel et. al., Bioorg. Med. Chem. Lett., 10, pp. 2041-2044 (2000)	
	C11	Goto et al., Chem. Pharm. Bull., 19, pp. 2050-2057 (1971)	
	C12	Reichstein et al., Helvetica Chimica Acta, 16, pp. 121-129 (1933)	
	C13	Diels et al., chem. Ber., 48, pp. 897-905 (1915)	
	C14	Wightman et al., J. Org. chem., 43, pp. 2167-2170 (1978)	
	C15	Musser et al., J. Med. Chem. 30, pp. 62-67 (1987)	
	C16	Rahman et al., J. Chem. Soc. Perkin Trans. 1, 12, pp. 2973-2977 (1983)	
	C17	Kelly et. al., J. Am. Chem. Soc., 110, pp. 6471-6480 (1988)	
	C18	Kneen et al., Synthetic Communications, 16, pp. 1635-1640 (1986)	
	C19	Kim et al., Can. J. Chem., 60, pp. 2093-2098 (1982)	
	C20	Parkanyi et al., Monatsh. Chem., 123, pp. 637-645 (1992)	
	C21	STN International @ CAPLUS Database, Accession No. 2000; 117035; Collins et al., WO 2000008002, abstract	
	C22	Malamas, MS et al, Eur. J. Med. Chem. Vol. 36, No. 1 (2001) pp. 31-42	
	C23	Hulin, B. et al., Current Pharmaceutical Design, Vol.2 (1996) pp. 85-102	
	C24	Oplinger, et. al., ACS National Meeting, San Diego, April 1-5, 2001, Poster 238, Division of Medicinal Chemistry, Section C	
	C25	Gustavsson, et. al., Chemical Abstracts, Vol. 138, No. 106,504 (2003)	
Examiner Signature			DATE CONSIDERED

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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